

**Statement of Dawn E. Lucini
On Behalf Of
The Clark County Department of Aviation
Owner and Operator Of
McCarran International Airport
Before the House Government Reform Committee Subcommittee on
Federal Workforce and Agency Organization
“Travel vs. Terrorism: Federal Workforce Issues in Managing Airport Security”
April 4, 2006**

Thank you for the opportunity to share with the subcommittee, the views of the Clark County Department of Aviation, owner and operator of Las Vegas McCarran International Airport, on how we are managing security while ensuring travel and tourism. Today, I will focus on procedures in place for employee background checks, including Transportation Security Administration (TSA) regulatory requirements and how the Department interacts with federal agencies charged with airport security oversight.

Please accept our appreciation to you, Chairman Porter, and to the subcommittee for the continued attention Congress is devoting to aviation security. It is now approaching five years since the tragic events of September 11, 2001 and we must all do our part to ensure that history does not repeat itself.

The role of the airport operator is critical in ensuring the safety and security of the national civil aviation system while also ensuring that tourism and commerce is not impeded. In 2005, McCarran International Airport was the gateway to Las Vegas for over 44 million passengers and we are on track to exceed that number in 2006. Currently, we are the second busiest U.S. origination and destination airport and the fifth busiest U.S. airport by passenger volume. Las Vegas processes more passengers through security checkpoints than any other airport in the nation except Los Angeles.

As the Airport Security Administrator, I am responsible for ensuring the security and safety of the passengers, employees and the physical structure which is McCarran International Airport. As such, and per TSA regulation, the Department must conduct criminal history records checks for all individuals prior to their commencing work at McCarran. As of today, we have over 18,000 individuals who have successfully passed these background checks. The individuals are employees of the Department of Aviation, airlines, ground handlers, concessionaires, food purveyors and many federal agencies to include the TSA, US Customs and Border Protection, the Federal Aviation Administration, the Federal Bureau of Investigation (FBI), the US Secret Service and the US Postal Service.

The TSA is responsible for ensuring that all U.S. commercial airport operators are in compliance with U.S. Code 49 Part 1542, which governs airport security. How McCarran implements and maintains this regulation is sensitive security information, as

outlined in our TSA approved airport security program. What I can provide is that Part 1542, readily available on the TSA public website and the Federal Register, clearly outlines airport and airport user requirements for conducting criminal history record checks for all individuals seeking unescorted access within security identification display areas (SIDA) at U.S. commercial airports. All individuals must undergo fingerprint based checks to identify whether or not individuals have committed one or more of the thirty seven disqualifying crimes listed within the regulation. Airport employees collect the fingerprints, while the FBI compares the prints to its extensive database and the Office of Personnel Management then transmits the results back to the airport operator. If an individual is found to have been convicted of a disqualifying crime, the individual must provide the airport operator with proof of adjudication or resolution. If the individual cannot comply, she will not be granted unescorted access authority. In addition, airport employees, like passengers, are regularly vetted against the TSA watch lists. If an employee name is matched, the Department of Aviation works in coordination with the Las Vegas Metropolitan Police Department (METRO), the TSA and the FBI to remove the individual from the facility and allow the federal agencies to take additional and appropriate actions.

The subcommittee should appreciate that the procedures outlined above are the minimum TSA regulatory requirements. Beyond the federal regulation, airport operators may have additional local and state regulations of which to adhere or may voluntarily establish additional employing vetting processes. The Clark County Department of Aviation first requires individuals to submit to a local traffic wants and warrants check and a check through the national NCIC database. As employee badges expire, and must be renewed, we again require individuals to submit to these checks. These processes promote the Department's philosophy which is a layered approach to ensuring the integrity of our airport security program. Further, even if an individual is not seeking employment within McCarran's SIDA or sterile areas, rather only public areas, the Department still requires them to undergo the same fingerprint based criminal history records check.

At McCarran, we understand that we are an entry point into the national civil aviation system while also a first line of defense. Accordingly, TSA readily approves our security policies and procedures, as they are developed in concert with our acting TSA Federal Security Director, Jose Ralls, and his staff. And there is the answer for how the Federal Government ensures that individuals tasked with conducting background checks are following protocol and in compliance; a positive and proactive partnership between the airport operator and the local TSA staff.

The Clark County Department of Aviation does not act alone in promoting aviation security at McCarran; we do so in the spirit of communication, coordination and cooperation with the TSA and the Metropolitan Police Department or METRO. While METRO acts on our behalf in providing law enforcement support of our security program, TSA is the regulator charged with ensuring that we are in compliance with Part 1542. The key is, when it comes to security, none of the local parties acts alone; all decisions are made collectively and no protocols are implemented prior to all parties being consulted, thereby leading to consensus. While the Department knows what

options and plans are most effective for McCarran's users and facilities, enough attention cannot be paid to how critical the local security and law enforcement relationship is between the parties. At a minimum, it ensures regulatory compliance but more still we are confident that every entity is doing all that it can to protect and serve employees and passengers.

Mr. Chairman, in the almost five years after September 11, 2001, we have seen significant improvements to aviation security. We should not forget that aviation security is a matter of national security and that individuals, businesses, local and state governments, and the federal government must all continue to work in partnership to protect our citizens and visitors from acts of terrorism.

Again, we appreciate the leadership of this subcommittee and the opportunity to testify today.